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REMARKS

Claims 1-11, 18-20, and 22-24 23 are pending in the patent application.

The Examiner has rejected Claims 1-3, 6, 8-10, and 22-24 under 35 USC 102(b) as anticipated by the Hashimoto patent; has rejected Claims 4, 5, 7, and 11 under 35 USC 103 as unpatentable over Hashimoto in view of Antonello; and, has rejected Claims 18-20 under 35 USC 103 as unpatentable over the teachings of Hashimoto in view of Chambers.

The present invention comprises means for dynamically associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number; means for accepting one of the wireless devices as the answerer of said first incoming call to conduct the first incoming call with the wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices

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associated with that telephone number while the first call is in progress. In operation, the present invention dynamically associates a single called telephone number with more than one wireless device, and then, after accepting one wireless device as the answerer of a first call, dynamically associates a second telephone call to the same number with a different wireless device. Accordingly, two different telephone calls to the same telephone number can be conducted at the same time by dynamic connection to two different wireless devices.

The primary reference cited against the claims is the Hashimoto patent. The Hashimoto patent is directed to a system wherein calls along a PSTN can be directed to one cordless station or to a group of cordless stations, depending upon whether the call is an individual call or a group call. The Hashimoto system includes a controller at a PBX which is connected to the PSTN, a plurality of radio control units at the PBX, a plurality of access units remotely located and one cordless unit associated with each access unit. In operation, the Hashimoto radio control unit/controller receives a call which is either a call to a single cordless station or a group call to all of the

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cordless stations. Hashimoto expressly teaches that signals passed between the radio control unit and the access units and between the access units and the cordless stations contain a field indicating the type of call and a data field with a called station address number or a group address number (see: Col. 3, lines 45-48). In addition, Hashimoto teaches that "in response to an individual call, only one uniquely addressed cordless station is alerted" (see: Col. 3, lines 20-22).

Applicants respectfully assert that Hashimoto clearly teaches that a call to a single cordless station can only be connected to the one single cordless station identified by the called station address number and that a group call, which is directed to a group address number, is sent to all cordless stations. Accordingly, it cannot be maintained that Hashimoto anticipates claim language which expressly recites that two different calls, first incoming call and second incoming call, to the same single telephone number, are dynamically associated with two different wireless devices at the same time (i.e., whilst the first incoming call is still in progress).

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The Examiner has concluded that the language of Claim 1 is anticipated by the teachings of the Hashimoto patent. However, in the rejection which is detailed on pages 2 and 3 of the Office Action, the Examiner does not address all of the language of Claim 1. The network node device of Claim 1 comprises seven claim features as follows:

- (1) one or more connections to wirelines,
- (2) one or more wireless signal generators for directly connecting to wireless devices,
- (3) one or more controllable interconnections between the wirelines and the wireless signal generators,
- (4) means for dynamically associating a single called telephone number with at least two wireless devices,
- (5) means for alerting the at least two wireless devices of a first incoming call,
- (6) means for accepting one of the at least two wireless devices as the answerer of the first call, and
- (7) means for transmitting a second incoming call, directed to the same single telephone number, to one of the other wireless devices while the first call is still in progress.

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However, the Examiner only expressly rejects some of those 7 features. Applicants note that the Examiner analogizes the Hashimoto radio control unit (3 of Fig. 1) to the network node device which is recited in Claim 1. However, the radio control unit of Hashimoto does not include the seven claim features. For example, a Hashimoto access unit (4 of Fig. 1), which the Examiner analogizes to the one or more wireless signal generators that are part of the network node as claimed, are stand-alone units which are contacted by the radio control units. Therefore, the Examiner has clearly erred in concluding that the radio control unit anticipates the network node since the radio control unit does not include the access unit.

With respect to the individual claim features of the network node, the Examiner has also not cited any teachings of the Hashimoto patent against the claim feature of one or more connections to one or more telephone wirelines. Further, the Examiner has failed to expressly reject the claim feature of a means for associating a called telephone number with at least two wireless devices. In addition, the Examiner has failed to cite any specific Hashimoto patent teachings against the claim feature of means for

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transmitting a second incoming call directed to the same telephone number to a different wireless device while the first call is in progress.

The Examiner has not only neglected to reject some of the claim features, but the Examiner has erred by citing the same Hashimoto patent teachings from Col. 4, lines 30-57 against multiple different claim features. For example, the Examiner has cited the Hashimoto patent teachings from Col. 4, lines 30-57 against "a method of associating a called telephone number with at least two wireless devices and means for alerting the at least two wireless devices associated with the called telephone number of the incoming call" (see, the bottom of page 2 of the Office Action). Applicants note that the claim does not recite "a method of associating a called telephone number..." Rather, the claim recites "means for dynamically associating the single called telephone number with at least two wireless devices". While the Hashimoto radio control unit can contact more than one access unit, the radio control unit does not associate a call made to a single called telephone number to more than one wireless device; and, the radio control unit of Hashimoto does not directly connect with the wireless

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devices. Further, Hashimoto does not directly alert the wireless devices associated with a single called telephone number of an incoming call. Rather, the radio control unit of Hashimoto sends signals to the access units and the access units establish control and speech channels with the wireless devices.

The Hashimoto radio control units (3 of Fig. 1) which are analogized to the network nodes are not capable of establishing a direct wireless connection with the wireless devices. Rather, the Hashimoto radio control unit establishes contact with the access units, and each access unit establishes a wireless connection with its single associated wireless device.

Applicants reiterate that the Hashimoto patent does not teach one or more controllable interconnections between the telephone wirelines and the wireless signal generators. While Hashimoto shows the PBX, there is nothing in the description which teaches or suggests that there are controllable interconnections between the two types of entities at the PBX. In fact, Applicants note that known PBX technology provides for fixed interconnections at the PBX hub (see: e.g., USP 5,533,027 of Akerberg, et al, which

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was sent by the Examiner with the Office Action dated 11/21/03). Applicants have previously presented this argument; however, the Examiner has ignored the argument and has failed to respond to it. Applicants respectfully request that the Examiner consider this argument and respond thereto in another non-final action.

In addition, the Hashimoto system does not include means for dynamically associating an incoming call to a single called telephone number with at least two wireless devices. Rather, as demonstrated by the citations from Hashimoto above, the Hashimoto determines that a call is to a group address and routes it to all access units and their associated cordless stations; or, determines that a call is an individual call and alerts only one uniquely addressed cordless station (Col. 3, lines 17-22). Accordingly, Hashimoto is using the station address number or group address number (see: Col. 3, lines 45-48) as telephone numbers which indicate the intended call destination. Clearly, Hashimoto is not dynamically associating a call to a single called telephone number (i.e., an individual call) to more than one wireless device and is not directing first and second incoming calls to that single telephone number to

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different wireless devices at the same time (i.e., while the first call is in progress).

Furthermore, Hashimoto does not provide means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number. Since Hashimoto does not dynamically associate more than one wireless device with a call that is an individual call, it cannot be maintained that Hashimoto alerts those devices which have been dynamically associated with the call. Moreover, the radio control unit of Hashimoto, which is analogized to the network node device, does not directly contact wireless devices, but contacts access units which in turn contact their single associated wireless device.

Since Hashimoto expressly teaches that each cordless station has a called station address number (Col. 3, line 47), then Hashimoto does not have means for accepting one of more than one wireless devices as the answerer of a first incoming call, which has been dynamically associated with that call, in order to conduct the first incoming call with

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said wireless device. When Hashimoto receives an individual call, it can only associate the access unit for the called station having the specified called station address number with the call; and, conversely, when Hashimoto receives a group call, it can only contact all of the access units. Hashimoto cannot selectively accept one wireless device as the answerer of a first incoming call.

Finally, Hashimoto does not provide any teachings which anticipate the claimed means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress. Hashimoto can only direct a call to more than one cordless station if the call is a group call to a group telephone number. It does not dynamically associate different calls, placed to the same single telephone number, to different wireless devices, let alone doing so while a first call to the number is still ongoing. Hashimoto does not teach or suggest that an individual call can be routed to more than one cordless station. There is nothing in the cited Hashimoto teachings from Col. 4, lines 30-58 that either teaches or suggests that more than one different incoming

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call to the same telephone number can be conducted at the same time. The cited passage merely details the treatment of a single group call, which is explicitly directed to all devices in a group using a group call number. Further, the cited passage makes absolutely no mention of more than one call being received and or transmitted at the same time. Clearly, therefore, Hashimoto does not anticipate that express claim language.

For a patent to anticipate claim language under 35 USC 102(b), that patent must teach each and every claim feature. Since the Hashimoto patent does not teach one or more controllable interconnections between the telephone wirelines and the wireless signal generators; does not teach means for dynamically associating a single called telephone number with at least two wireless devices; does not teach means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number; does not teach means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call

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with said wireless device; and does not teach means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress, it cannot be maintained that Hashimoto anticipates the invention as claimed.

In rejecting Claims 4, 5, 7, 11, and 18-20, the Examiner has additionally cited the Antonello and Chambers patents. The Antonello patent discloses a system and method for transmitting metering pulses with rate information to a wireless public call office (PCO). A local exchange is wired to a wireless local loop which transmits wireless signals to subscribers' remote wireless devices, including PCOs and public pay phones. Each subscriber has a dedicated wireline at the local exchange (see: Col. 4, lines 5-6), which in fact teaches away from controllable interconnections. Under Antonello, the local exchange determines the rate (i.e., cost per unit time) for a call and sends it on the dedicated landline (Col. 4, lines 19-21) to the wireless local loop, which transmits it over the forward voice channel to the wireless device (see: Col. 4, lines 38-44). The local exchange will further provide rate

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and metering change information to the wireless local loop when the rates change. It has been previously established that the Antonello patent provides no teachings regarding the claim features of means for dynamically associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the called telephone number of a first incoming call; means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress, which are expressly recited in all of the pending claims.

The Examiner is citing the Antonello patent for teachings the use of memory in the network control unit to include long term storage of information. Applicants respectfully assert that the inclusion of memory in the Hashimoto controller would not be enough to render obvious the present claims. Neither Hashimoto nor Antonello teaches or suggests that multiple incoming calls to a subscriber

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number be directed to different wireless devices dynamically associated with the one subscriber number. In fact, Antonello has each subscriber number dedicated to a particular wireline and Antonello has the wireless local loop transmit radio signals which the subscribers use to determine if the signal information is for them (see: Col. 4, lines 1-2). Applicants believe that even if one were to seek to modify Hashimoto with Antonello, one would not arrive at the subject invention since Hashimoto does not teach the claim features and Antonello teaches away from the claim features.

Under the U. S. Patent Law, obviousness can only be established based on some teaching or suggestion of each claim feature in the body of art existing at the time of the invention. Since neither Hashimoto nor the Antonello patent teaches or suggests the network node device as now claimed, including means for associating a called telephone number with at least two wireless devices, means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device other than the at least two wireless devices associated with the called telephone number, means

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for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device, and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that same single telephone number whilst the first call is in progress, it cannot be maintained that the combination obviates the invention as claimed. If the cited references do not teach or suggest all of the claim features, then the Examiner has failed to establish a *prima facie* case of obviousness (*In re Wilson*, 424 F. 2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). Accordingly, Applicants request withdrawal of the rejections based on a combination of teachings from Hashimoto and Antonello.

With respect to claims 18-20, Applicants refer to the arguments presented above with respect to the teachings of the Hashimoto patent. Applicants further note that the Chambers patent does not provide those teachings which are missing from Hashimoto. The Chambers patent discloses a system for connecting telecommunications lines to telephones, handsets, computers and other end user interfaces or consumer electronics devices in a residence or

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business. Chambers does not, however, teach or suggest the invention as set forth in Claim 1, and in Claims 18-20 which depend directly therefrom. The Chambers patent does not provide a network node device comprising one or more connections to one or more telephone wirelines for receiving incoming calls each specifying a telephone number; one or more wireless signal generators supporting one or more direct wireless connections to one or more wireless devices; one or more controllable interconnections between the telephone wirelines and the wireless signal generators; means for associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices; means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that same single telephone number whilst the first call is in progress, as is

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now recited in Claim 1, and in Claims 18-20 which include all of the limitations of Claim 1. While the Chambers patent may provide power supply teachings, that alone is not sufficient to obviate the claims which include all of the limitations of Claim 1. Applicants again conclude that a *prima facie* case of obviousness has not been established.

Based on the foregoing remarks, Applicants respectfully request reconsideration of the claim language, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,  
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